



October 16, 2020

VIA ECF

The Honorable J. Paul Oetken
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: United States v. Franchesca Morales, 15-cr-879-3 (JPO)

Dear Judge Oetken:

On September 3, 2020, the Second Circuit Court of Appeals vacated Franchesca Morales's conviction for being a felon-in-possession of a weapon, and remanded her case to this Court. The Government has informed the defense that it does not intend to re-try the defendant on the felon-in-possession count, and agrees with the defense that the defendant should be re-sentenced on the remaining convictions for heroin conspiracy under 21 U.S.C. § 841(b)(1)(B) and brandishing and discharging a firearm in furtherance of a drug trafficking crime under 18 U.S.C. § 924(c).

In order to proceed with resentencing, we would respectfully request that the Court order Probation to prepare an updated Presentence Report. Counsel requests that we permitted to be present during any additional interviews with Ms. Morales in connection with the updated Presentence Report. The Government consents to this request.

Granted.
The probation department is hereby directed to prepare an updated PSR based on the charges as detailed herein.
So ordered.
October 19, 2020

Respectfully submitted,

/s/ Kristen M. Santillo

Kristen M. Santillo
Gelber & Santillo PLLC

*Attorney for Defendant
Franchesca Morales*



J. PAUL OETKEN
United States District Judge